

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of the Claims:**

Claims 1-17. (Canceled)

18. (Currently amended) A monoclonal antibody or fragment thereof obtainable from a hybridoma cell of, or derived from, ECACC Deposit No. 03073001.

19. (Currently amended) A method of detecting at least one of an astrocytoma cell and a primary breast carcinoma cell in a sample of human cells, which method comprises the step of contacting the cell sample with an antibody according to Claim [[8 or]] 18, or a fragment thereof, and detecting those cells which have bound the antibody or fragment, wherein binding of the antibody or the fragment to a cell is indicative of at least one of an astrocytoma cell and a primary breast carcinoma cell.

Claims 20-22. (Canceled)

23. (Currently amended) A diagnostic kit for diagnosing the presence of a cell selected from the group consisting of: astrocytoma cells; malignant melanoma secondary tumour cells; and primary breast carcinoma cells, the kit comprising a ~~(primary)~~ primary antibody according to Claim [[8 or]] 18, or a fragment thereof.

24. (Currently amended) [[A]] The diagnostic kit as claimed in Claim 23 in which the antibody comprises a detectable label.

25. (Currently amended) [[A]] The diagnostic kit as claimed in Claim 23 in which the kit comprises a secondary antibody which specifically binds the ~~(primary)~~ primary antibody, which secondary antibody comprises a detectable label.

26. (Currently amended) A biological targeting device comprising an antibody according to Claim [[8 or]] 18, or a fragment thereof, and a therapeutic ligand.

27. (Currently amended) ~~A therapeutic antibody comprising an~~ The antibody according to Claim [[8 or]] 18, or a fragment thereof, wherein the antibody or fragment thereof are capable of being used as a therapeutic agent.

28. (Currently amended) A method of treating cancer in an individual by inducing apoptosis in cells in the individual which express an MQ1 protein, which method comprises a step of treating an individual with an antibody of Claim [[8 or]] 18, or a fragment thereof.

29. (Currently amended) [[A]] The method according to Claim 28 in which the cancer is selected from the group consisting of~~[[:]]~~ malignant astrocytomas; malignant melanoma secondary tumours; and primary breast carcinomas.

Claim 30. (Canceled)

31. (Currently amended) [[A]] The method as claimed in Claim 28 in which the antibody is humanised.

Claims 32-38. (Canceled)